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Attorneys for Defendants
Nth Connect Telecom, Inc. and Steven Chen

UNITED STATES DISTRICT COURT
CALIFORNIA NORTHERN DISTRICT (SAN JOSE)

VLADIMIR A. BALAREZO, individually and on behalf of others similarly situated)	Case No. C 07 05243 JF (PVT)
)	
Plaintiff,)	DEFENDANTS' OBJECTIONS TO THE
)	DECLARATION OF TOMAS E. MARGAIN
vs.)	
)	Date: April 18, 2008
)	Time: 9:00 a.m.
NTH CONNECT TELECOM INC., and)	Courtroom: 3
STEVEN CHEN,)	
)	
Defendants.)	
)	

Defendants Nth Connect Telecom Inc. and Steven Chen hereby object to the Declaration of
Tomas E. Margain, as follows:

1. Paragraphs 2-7. The testimony purports to be an expert analysis of the payroll records
of Balarezo (no analysis of Avila's records is conducted). Only a witness qualified as an expert by
knowledge, skill, experience, training or education may offer expert opinion. (Fed. Rules of
Evidence, Rule 702). The declaration fails to establish Mr. Margain's qualifications as an expert in
compensation issues. The sole basis of Mr. Margain's "qualifications" are that he is an attorney
authorized to practice before this Court. Mr. Margain's declaration does not satisfy N.D. Civil Local
Rule 7-5(a) and (b). The declaration should be stricken in its entirety.

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